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NOTES AND ABSTRACTS.

ANTHROPOLOGY—PSYCHOLOGY—LEGAL-MEDICINE.

Handwriting, from a Psychopathic Viewpoint.—Malvolio (reading forged letter): "M—— But then there is no consonancy in the sequel; that suffers under probation; A should follow, but O does."

TWELFTH NIGHT—ACT 2, SCENE V.

It is a trite saying that no person can twice write his name so that the result of each effort will be, in all respects, an absolutely exact counterpart of the other. From this premise numerous cross-examiners have sought to deduce that every conceivable variance in the circumstances and conditions surrounding a writer, materially affects his handwriting, so that it may become unrecognizable, from even a slight cause.

The original proposition is as true as the attempted deduction is false. The points of comparison are not confined merely to pictorial forms, but include many other items—mostly unobservable except with the aid of proper instruments; the total number of points can be placed in the hundreds right at the start, with but moderate attention to details; and the number may be greatly increased by industry and skill on the part of the observer. Probably the greater number of these items could be changed, without the difference becoming noticeable to the naked eyes of anybody—particularly one not accustomed to examining such things.

To destroy the identity of the writing, for even a layman's eyes, there must be some cause that will produce at once some radical change in the general pictorial effect of the writing. Of course, there are plenty of such causes, but they are usually of so pronounced effects, as to become at once palpable, and, therefore, to be readily susceptible of investigation and verification.

The far greater number of causes tending to vary handwriting are of an entirely different character, and their effects are generally less prominent than the others, and often not visible at all to the ordinary observer. It is to this class of conditions that more careful attention should be directed—first, because of its important bearing on the question of identity—and secondly, because it may be possible to learn therefrom the mental condition of the writer at the time when he executed the writing; this last reason does not take us into the fanciful realms of necromancy, character reading, or any other of the mystic arts, but leads us directly into the ever-widening field of psychology as connected with human mechanism.

In order to understand the true inwardness of the situation, we must consider handwriting not only from a physical standpoint, but also from a mental point of view—not only as a physical act, but also as a mental effort; in the latter connection, both psychology and psychiatry afford us material help, whence it may be designated as the psychopathic study of handwriting.

ANALYSIS.

Handwriting is the visible *joint* product of four human attributes:

A.—*Knowledge* of the subject matter. This is obtained through the cognitive senses, and the result may be full and accurate, or it may be more or less deficient and faulty.

B.—*Volition* concerning the subject matter. This factor may vary from strong to weak.

C.—*Memory* of other efforts. This may be direct or cross, and it may be accurate or faulty.

(Memory and Volition come through what may be termed the connective senses.)

D.—*Action* to the desired end. This is the most important factor, in that we here have to do more directly with its results, and it covers the largest field of inquiry. It is obtained through the medium of the motive senses, and these normally operate through three combined and co-ordinated means, which may be imperfectly classified as Muscular, Mental and Nervous.

1.—*Muscular action*. This may be interfered with and rendered more or less abnormal by any physical ailments or deficiencies sufficient to cause:

- (a) Inability to produce good standard forms of characters.
- (b) Ordinary stiffness that affects the characters.
- (c) Labored results, as of inaptitude.
- (d) More or less *lasting* limitations of, and interference with, the powers of action.

(e) Spasms of single muscles or sets of muscles (disturbed motility).

(f) Mere physical weakness.

2.—*Mental action*.

This may become more or less abnormal, from mental ailments or deficiencies, when they are sufficient to cause—

- (a) An obsession to write.
- (b) An accelerated efflux and confusion of ideas.
- (c) A delusional or illusional disturbance of ideas.
- (d) Confusion and exaggeration of expression.
- (e) Confusion and exaggeration of forms (*agraphia*).
- (f) Confusion or omission of letters or syllables in words.
- (g) *Voluntary* introduction of extra, unnecessary and improper marks or lines, in connection with letters and words, through extra impulses.
- (h) Irregular and inconsistent style and slant in writing (*ataxia*).
- (i) Inability to keep the writing down to ruled line.
- (j) Weakened power of association.
- (k) Retardation of ideas.
- (l) Loss of memory.
- (m) Difficulty in transfer of ideas to motor sphere (as in morphinism).
- (n) Hypnotic writing.
- (o) Natural "mirror writing" (except when done by a left-handed person).
- (p) Dual personality.

3. *Nervous action*. This may become more or less abnormal in consequence of physical conditions, diseases, excesses or indulgences, or strong mental or physical excitements, where they are sufficient to cause:

- (a) Ordinary tremors.
- (b) Reflex action producing tics, or *involuntary*, spasmodic marks, in connection with letters or words, through temporary extra impulses.

(c) Exaggerated dynamic action in the written lines, as shown by dynamograms, which disclose the morbidity of the writer's temperament.

RESULTS.

It is at once apparent that in the preliminary elements of Knowledge, Volition and Memory alone, there is room to run the whole gamut of variations from strength to weakness, as to any given writer, and some evidence of such variations may be found in the writing of such person; nevertheless, the identity of the handwriting will remain and be recognizable.

When it comes to the element of Action, however, we have a more complex situation before us. Preliminarily, the question of the co-ordination of the three factors arises, and is capable of many variations; but, after we get past that point, we enter into a region abounding with many possible abnormalities, those affecting the Muscular Action being the matters with which we are most familiar, but with which we are not now so much concerned.

In considering the Mental and Nervous Action we have the assistance of a large number of "symptoms"; some of these are due to the condition of increased activity technically known as mania—some to that form of decreased activity technically designated as melancholia—and some to those peculiar conditions designated as hypnotic states, dual personalities, and that which produces reversed (or mirror) writing.

The presence in a given handwriting of any of these mental and nervous symptoms indicates a psychosis, or mental disease, of some sort, the existence of which must be taken into account in considering the practical question of the mental condition of the writer. In the matter of eyesight, it is said that the person does not live whose two eyes exactly match each other in their powers of vision; yet only when the difference between them becomes so great that they cannot practically work together without causing harm to the owner are they convicted of astigmatism and sentenced to work thereafter through spectacles. So, also, while indications of a psychosis may be found in many a person's writing, yet only when the psychotic condition is so pronounced, or has such an effect, that (comparatively speaking) it becomes a source of danger, is it to be regarded as rendering the possessor incompetent.

But even before the point of incapacity is reached—and whether it be reached or not—these indicia are still ready to serve us in identifying the handwriting of one person, and distinguishing it from that of another, even though possibly the latter may be an imitation of the former. The author, during the course of his long experience in the examination of handwriting, has repeatedly derived invaluable assistance from such details as the foregoing; in the single items of voluntary and involuntary tics, morphinism, dual personality, and exaggerated dynamic action, he has found more than enough to compensate him for all the years of labor and study involved, but they form too long a story for the present paper.

CONCLUSION.

Wherever there is a question as to the identity or authenticity of a specimen of handwriting, it is well worth while, therefore, to consider (in connection with the other more usual details) the general mental condition of the writer, paying particular attention to those things which are indicia of the various psychosis, as well as to abnormal physical limitations or powers.

On the other hand, wherever a question arises as to the mental capacity of a person, it is equally necessary (in conjunction with the other more usual

lines of investigation) to consider carefully the handwriting of the person in question in order to ascertain therefrom, whether or not the person is suffering from a psychosis, and if so, the probable extent of the effects of such condition.

These two suggested lines of investigation are based upon present-day technical college courses, to which are added outgrowths therefrom, derived through practical experience. In using them it must always be remembered that, although the presence of a *single* evidence of psychosis may serve to "tag" a person, it does not necessarily prove him to be legally incompetent; the presence of one swallow does not necessarily prove that summer is here.

WEBSTER A. MELCHER, Philadelphia, Pa.

COURTS—LAWS.

Bill to Abolish Capital Punishment in the District of Columbia.—The following bill (S. 4056) was introduced by Senator La Follette on January 28, 1916. It was read twice and referred to the Committee on the District of Columbia:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight hundred and one, chapter nineteen, of the Code of Law for the District of Columbia is hereby amended by striking out the words "death by hanging," and substituting therefor the words "imprisonment for life," and by striking out the words "for life, or" so as to read:

"SEC. 801. PUNISHMENT. The punishment of murder in the first degree shall be imprisonment for life. The punishment of murder in the second degree shall be imprisonment for not less than twenty years."

SEC. 2. That section eight hundred and eight, chapter nineteen, of the said code, is hereby amended by striking out the provisos after the words "thirty years."

SEC. 2 takes from jury right to impose penalty for rape.

SEC. 3. That section nine hundred and nine of the said code is hereby amended by striking out the words "any crime punishable by death" and substituting therefor the words "murder in the first degree."

SEC. 4. That section nine hundred and twenty-six, chapter twenty, and sections eleven hundred and ninety-eight, eleven hundred and ninety-nine, twelve hundred, twelve hundred and one, twelve hundred and two, and twelve hundred and three, chapter thirty-five, of the said code, are hereby repealed.

SEC. 5. That this Act shall be in force from and after its passage: *Provided*, That if at the time of the passage of this Act there are persons confined in the jail who have been adjudged to suffer death, the Supreme Court of the District shall commute their sentences to imprisonment for life.

SEC. 909 relates to punishment of accessories.

SEC. 926 relates to time of execution.

SECS. 1198-1203 relates to method, and place of execution, and who must, may, and may not attend.

PHILIP WALKER, Washington, D. C.

To amend the Code of Criminal Procedure in relation to the summation of a case (N. Y. Assembly Bill Int. 362 pr. 363).—This bill seeks to change the law in regard to the summing up in a criminal case by providing that the